

BERLIN FIRM, BACKED BY PUBLIC OPINION, COL. HOUSE REPORTS BY CABLE TO WILSON

LONG ISLAND TRAIN KILLS BANKER AND FIRE CHIEF IN SMASH-UP AT CROSSING

John R. Higbie and Leon Pettit of Babylon Were Driving New Auto Engine.

GATES WERE NOT DOWN Machine Hurling Through Air and Victims Are Crushed Beneath It.

John Robbins Higbie, President of the Bank of Babylon, and Chief Leon Pettit of the Babylon (L. I.) Fire Department were killed this morning when the new automobile engine of the Department was struck by a Long Island Railroad train at the crossing just east of the Babylon station.

The motor engine was being run to a fire, Higbie driving and the Chief the only other man on the car. The watchman failed to lower the gates through a mistake, and they drove straight in the path of the train. The fire engine was thrown forty feet and Higbie and Pettit were pinned under it.

Higbie was the son of the late Senator Richard Higbie and was one of the wealthiest men in Babylon. He was an enthusiastic volunteer fireman and aided the department with his money and services. He had a record of being the first at the quarters of the Stumpwags Hose Company at every alarm since the bell sounded this morning he raced in from his home on the outskirts of the city in his motor car.

When he arrived at the quarters of the company on Deer Park Avenue he found Chief Pettit awaiting him. It has been a rule of the company to wait until at least five members are in the house before starting out, but Mr. Higbie urged Chief Pettit to start out and be consented. With the bell clanging on the combination hose cart and chemical engine they started out.

ENGINE RACED AT TERRIFIC SPEED.

Speed records for getting to fires were broken by the new engine, which had been in service but two weeks, according to witnesses who saw the car flash by.

As they headed down the road toward the railroad crossing it is said they were going close to fifty miles an hour. While they were still some distance away the gates were lowered while an eastbound train passed.

As the train left the crossing the watchman who saw the fire engine approaching, raised the gates. He had just brought them up when he turned and saw that a New York Hudson train, due in the station at 7:20 A. M., was coming from the west. He tried to get the gates down and shouted to Higbie when the engine was not more than one hundred feet away. Higbie apparently realized the danger a moment too late. The big car swayed to the right and left for a minute, then plunged straight across the tracks, just grazing the gates, which were being lowered.

The fire engine was in the middle of the railroad track when the engine struck it. It was literally lifted from the ground and hurled through the air, hose and apparatus scattering along the tracks. Both men seemed unable to get from the entanglement of their seats and were carried along with the car. A score of men and women awaiting the early morning train at the station a short distance away saw the men pinned under the wreckage.

While an ambulance was being

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HUNT PLOTTERS IN OTTAWA FIRE; ARRESTS ARE DUE

Officials Sure Parliament Buildings Were Set Ablaze—Strony Is Released.

OTTAWA, Ont., Feb. 5.—The greatest roundup of aliens since the beginning of the war was ordered by the Canadian authorities to-day. The Dominion police have been ordered to apprehend all foreigners known to have left Ottawa Thursday night, when the \$5,000,000 Parliament buildings were burned.

The general belief in Canada now is that the fire which destroyed the historic Parliament Buildings was started by German plotters. Sir Robert Borden has indicated he is convinced the blaze was incendiary. Following another mysterious fire destroying the big factory of the Grant, Holden & Graham Company, manufacturing supplies for the Government, early to-day, and what was apparently an attempt to blow up the famous Victoria Bridge at Montreal, authorities decided to take drastic action in an effort to round up aliens who may be responsible for the sudden outbreak of violence.

It was explained that the rounding up of all aliens leaving the Dominion will be comparatively easy. By an arrangement with the railways the numbers and destinations of all tickets sold to foreigners are turned over to the police.

It was through this system that Charles Strony was arrested at Windsor. He was ordered released to-day, but scores of other arrests are expected.

Strony is a widely known musical director, who during the season just closed was under contract to the Chicago Grand Opera Company to conduct French opera.

Friends in musical and society circles in Chicago worked hard to secure his release.

Strony left Chicago last week to conduct four concerts in Canada for Louise Edvina in Montreal, Toronto, Quebec and Ottawa. In Ottawa Thursday night his friends say he had to make exceedingly close connections to get a train for Chicago to keep an engagement and his speed in going about Ottawa in a taxicab aroused suspicion.

The Canadian police admitted they had no evidence against Strony. The musician declares he will begin suit for damages.

MONTREAL, Feb. 5.—What is believed to have been an attempt to wreck the Victoria Bridge here was frustrated by Canadian guards early to-day.

470 BULGARS KILLED BY FRENCH IN AIR RAID

Official Report Also Says That More Than 500 Soldiers Were Wounded.

PARIS, Feb. 5.—An official Bulgarian report, as forwarded from Athens to the Temps, says that 470 men were killed and more than 500 wounded during the recent attack by French aeroplanes on Bulgarian camps.

CHARGE TO JURY NON-COMMITTAL IN MRS. MOHR'S CASE

Individual Verdicts Are Asked for in the Case of the Three Defendants.

BAN ON PREJUDICES.

Heals's Story Is Considered the Pivotal Testimony of the Trial.

(Special from a Staff Correspondent of The Evening World.) PROVIDENCE, R. I., Feb. 5.—The jury in the case of Mrs. Elizabeth Tiffany Mohr, Victor Brown and Henry Spellman, accused of the murder last August of Dr. C. Franklin Mohr, went to the jury room at 10:45 o'clock to-day.

The jury was still out at 4 o'clock. When court opened this morning there remained only the charge to the jury by Justice Stearns. He took less than an hour to deliver it. The charge was an exposition of the law alone, with no review of the evidence.

Throughout the charge Mrs. Mohr, Brown and Spellman watched the Justice very closely. The jury was compelled to stand as it was given. The Justice told the jury that its task was an individual verdict in the case of each of the three defendants. He added:

"You will be asked, 'Is Brown guilty or not guilty?' 'Is Spellman guilty or not guilty?' 'Is Mrs. Mohr guilty or not guilty?' Mrs. Mohr cannot be found guilty by you unless you find Brown and Spellman guilty or Brown or Spellman guilty."

"There is no question that a murder was committed. Counsel for both sides has said so. In deciding this case, the first step I should think you'd take would be to decide whether Brown and Spellman, or Brown or Spellman, committed the crime. Then you can take up the question of Mrs. Mohr and decide whether she procured the murder of her husband. But the necessary cannot be found guilty in a higher degree than the principals."

"So far as the testimony in the case is concerned, if Heals is to be believed the defendants and himself were accomplices. Now, how far may the testimony of an accomplice be trusted? When uncorroborated such testimony should be accepted with caution. It need not be corroborated in detail, but there should be some evidence to support it in the main."

"You must consider the interest that witnesses may have in giving their testimony. Heals had an interest, for instance. He was a remarkable witness, and it is for you to determine how much of what he told was the truth and how much untruth. You saw him on the stand and watched his demeanor and if you did your duty you drew something from this as well as from the severe cross-examination to which he was subjected."

"As to confessions, a man doesn't tell things which incriminate him without a reason for doing so. Promises of favor, duress, any number of things may bring about a confession. But to be valuable a confession must be voluntary. If it is secured by a trick or a lie the law allows it to go in."

"If you should find that the confessions of Brown, Spellman and Heals were obtained by threats or otherwise, and are not truthful, it is for you to consider them in that light. In one of the so-called conferences, it has been held by the attorney for the defense that Brown and Spellman were joking. If a man jokes about so serious a thing as murder he has only himself to blame if he is taken seriously."

CITY EMPLOYEES' CAMPAIGN FUND PAID TO HERVEY

Whitman's Candidate for P. S. Commissioner Ran the Prendergast "Dough Bag."

ATTACKED IN REPORT.

Prendergast Man Is Under Fire for Several of His Official Acts.

The announcement of the selection of Charles S. Hervey as Public Service Commissioner has caused considerable speculation, and a lively session is expected in the Senate when the Governor sends the nomination to that body for confirmation. Mr. Hervey has been a "confirmed public functionary" for many years, and various of his official acts are being commented upon. Prominent among these is the fact that the recent investigation of the State Municipal Civil Service Commission showed that Mr. Hervey received campaign money contributed by Civil Service employees in the fall of 1913. So successful were his efforts that \$475 was collected in a bureau of twenty or twenty-two men. After the campaign Mr. Hervey was appointed Deputy Comptroller by Comptroller Prendergast. The money was collected by George W. Francis, who had come from Panama and was only in the city for three weeks when he was appointed by Mr. Hervey as standardization "expert" in the Bureau of Standards.

The State Civil Service Commissioners who made this report do not mince words in characterizing this piece of work. This interesting report says:

"The provisions of the Civil Service Law and rules were repeatedly violated by the municipal commission in order to enable the Bureau of Standards of the Board of Estimate to continue the services of so-called 'experts' in 'standardizing' salaries of city employees. In practically every case, the witness testified that he had no knowledge whatever of the work for which he was employed at \$6, \$8 or \$10 per day, and several of them testified that they lived outside of New York city prior to their appointment. Practically all of them testified that they were appointed through influential friends."

"The case of George W. Francis is probably the most flagrant because Mr. Francis acknowledged on the witness stand that he had collected political campaign contributions from employees of the bureau in the fall of 1913 and turned the full amount, \$475, over to a superior in the office."

"Mr. Francis was still employed as 'salary standardization expert' at \$8.00 per year at the time the investigation closed (Jan. 22, 1915)."

"He testified before the State Commission on Dec. 3, 1914: 'Q. Did you not collect any contributions in the office in the building during office hours? A. I did not have to collect it, the money was passed to me. Q. Who gave it to you? A. The man who volunteered the contributions. Q. How much did you contribute? A. \$20. Q. Did each of the others contribute the same amount? A. I don't think so. Q. How many contributed? A. The sum total of \$475. Q. What did you do with the money? A. It was given to the Campaign Committee of the Comptroller."

"Q. Who was the Campaign Committee? A. Mr. Hervey was Chairman, I believe. Q. To whom did you give the money? A. Mr. Hervey. Q. Did you know that it was a misstatement to make these collections? A. I candidly admit I did not. Q. The Municipal Commission deliberately violated the provisions of both paragraphs 2 and 4 of rule 12 when they retained Francis more than one month as an emergency appointee, and when they permitted him to remain longer than two months as a provisional pending the promulgation of the eligible list."

JOHN D. JR. TO REPLACE SLAIN BOY BY SAVING ANOTHER

Will Reclaim Young Convict to Fill Void Left by Death of Lad Shot at Mines.

'MOTHER' JONES'S PLAN.

Angel of Miners Gets Pledge of Millionaire He Will Pay Cost of Regeneration.

(Special to The Evening World.) CHICAGO, Feb. 5.—The millions of John D. Rockefeller Jr. have been reached through the appeal of white haired "Mother" Mary Jones, the eighty-one-year-old champion of the working man, to finance a campaign to bring from behind the walls of Joliet Penitentiary the youngest lifer there, to take the place in the world of another boy shot down by militia on guard at Rockefeller's mining property in Colorado two years ago. In the raton shops of the Joliet Prison is at work to-day the youngest inmate of the institution under a life sentence—Herman Coppes. He is there because he shot and killed Mrs. Maud Sleep in her home on a farm at Plano, Ill., and then with an axe he crushed in the heads of two of her children, the older four years of age.

This had boy, by many considered the most hopeless case in the Illinois prison, is not a Chicagoan. He never has been in Chicago in his life, and he says that the penitentiary is the farthest from his home in Plano he ever has been. He will be seventeen years old on Feb. 27. He has been in the prison nearly three years.

Herman Coppes is one of the "last chance boys" in whom Jack Robbins (who is head of the Boy's Republic movement of Chicago and organizer of Last Chance Boys Club in various cities), long has been interested and for whom he has done so much. It was Jack Robbins who brought Coppes to the attention of "Mother" Jones.

She had appealed to him after young Rockefeller, stung by her attacks, had agreed to finance the reclamation of any boy that she might select. She appealed to Robbins and he at once chose Coppes as the boy whose salvation the Rockefeller millions should attempt.

The liberation of Coppes, the first step in his reformation, depends upon the clemency which Gov. Dunne may extend. Those who are interested in the boy must appeal to the Pardon Board, secure its recommendation to the Governor and then convince the Executive of the propriety of liberating the boy before the reformation can begin.

It is the plan of those sponsoring the campaign that the life of Coppes shall take the place in the world of the life of Harold Snyder, shot down by militiamen guarding the Rockefeller mining properties at Ludlow, Colo., in 1912. The success of the campaign means the virtual restoration of the lives of two in the life of one—for by taking the place of Harold Snyder in the life outside the prison, Herman Coppes will also have the chance to make a place for himself.

Following the killing of young Snyder, Mother Jones burst out with an attack upon young Rockefeller, charging him with responsibility for "murder."

Her attack had effect. Rockefeller went to Colorado to study conditions for himself and lived and worked as one of the miners.

She told him that he should make good the life of the boy by the reclamation of another. Rockefeller went back to New York and "Mother" Jones went to Washington after visiting Jack Robbins in Chicago and leaving all about Herman Coppes. From Washington she wrote to

MILLIONAIRE WHO IS TO RECLAIM BAD BOY; WOMAN WHO AIDS HIM



JOHN D. ROCKEFELLER JR.



"MOTHER" JONES by World Staff Photographer

NO AGREEMENT BY ROADS AND TRAINMEN

Demands of the Unions Not Yet Voted on and May Not Be Presented for Weeks.

Emphatical denial was made to-day at the office of the railroads involved in the threatened strike of 350,000 trainmen that both sides had reached an understanding and would shortly sign new contracts. There has been no communication on the subject between the railroads and the trainmen at any time.

The four big unions of engineers, conductors, etc., have not formally adopted the demands that are to be made. A vote is being counted on the question of an eight-hour day. As soon as the mind of the membership on this point is known officials of the union will formally present their demands. These may not be presented before the last week of the month.

Widow of the Gruber Dead. Mrs. Anna Gruber, widow of Abraham Gruber, died to-day at her residence, No. 114 West Ninety-second street. Her husband, who was a prominent figure in local and State Republican politics, died about a month ago.

Salesman Drops Dead in Street. A Murray McKnight, fifty, a salesman of No. 41 DeForest Avenue, Summit, N. J., dropped dead this afternoon in front of No. 522 Broadway.

Rockefeller telling him the case of Herman Coppes and asking again that he pay his debt to society.

In reply came a long telegram to her telling her to go ahead and he would pay the bills. She wrote again telling him just about what it would cost. His reply was brief. It said: "Spare no expense necessary." (Signed)

"JOHN D. ROCKEFELLER JR." Herman Coppes is the son of William and Louisa Coppes of Plano, Ill.

WILSON IS DELIBERATING ON LUSITANIA CASE; CALLS OFF CONFAB WITH LANSING

Despatches From Washington Say the President Still Insists Upon Demand for Acknowledgment of Illegality Contained in Original Note.

GLOOMY VIEW IS TAKEN BY BERLIN NEWSPAPERS

By Samuel M. Williams. (Special Staff Correspondent of The Evening World.) WASHINGTON, Feb. 5.—So grave is the situation growing out of the Lusitania case through the refusal of Germany to admit the illegality of the act of her submarine commander in sinking the liner, that the conference between President Wilson and Secretary Lansing was postponed.

It is said the President already has the proposal from Berlin before him and wants to go over it carefully before he begins conferences with the Secretary of State. It was pointed out that the situation was not one which called for haste, but this very deliberation was regarded as giving emphasis to reports as to the seriousness of the case.

In addition to the proposals of the German Ambassador, the President had before him the confidential report of Col. House. This report, it is said, declared that German public opinion strongly opposes any admission that the torpedoing of the Lusitania was illegal.

Peaceful relations between the two nations balance on a single word. That word was "disavowal," but now it has been altered to "illegal" because the German language contains no such term as "disavow."

It is an amazing state of diplomacy that after nine months of negotiations and exchanges of notes over the sinking of the Lusitania it should narrow down at this late day to a single word, and bring two great nations very near to the breaking point.

It is not merely a word that President Wilson is anxious about, but the great principle of humanity for which he is contending and which lies back of the use of the word. It is understood that the President is standing firm upon the Lusitania note of July 21, wherein he made the following declarations and demands, using both the words "disavow" and "illegal."

"The rights of neutrals in time of war are based upon principle, not upon expediency, and the principles are immutable. The Government of the United States cannot believe that the Imperial Government will longer refrain from disavowing the wanton act of its naval commander in sinking the Lusitania or from offering reparation for the American lives lost, so far as reparation can be made, for a needless destruction of human life by an illegal act."

The main hope of officials is that Bernstorff has been given authority by the German Foreign Office to go beyond the memorandum he presented yesterday in trying to arrange a settlement. Secretary Lansing indicated to-day that the situation is not altogether hopeless.

"Is the situation deadlocked?" he was asked. "While confidential negotiations continue," answered the Secretary of State, "the situation cannot be called deadlocked."

Count von Bernstorff had little to say to-day beyond a non-committal expression of belief that things would come out all right.

BERLIN, Feb. 5.—German officials to-day scoffed at the possibility that Germany's refusal to disavow the

MISS FARRAR TO WED LOU-TELLEGEN, IS REPORT

Rumor This Time Says Marriage Will Take Place Next Tuesday.

The report recently circulated that Geraldine Farrar, formerly a prima donna at the Metropolitan Opera House and now a moving picture star, is to be married to Lou-Tellegen, "matinee idol," was revived to-day. This time it was to the effect that the marriage will take place in New York next Tuesday.

No direct confirmation of the recent report could be obtained to-day, but friends of Lou-Tellegen insisted that the ceremony would be performed on Tuesday at noon.

The romance of the prima donna and the star began when they met at a moving picture studio in California six months ago. Since then it is said, Lou-Tellegen has been a persistent wooer, and has finally won "yes" from the American singer who has been courted by millionaires and noblemen.

BIG OIL HAULS MADE BY SWEDISH FISHERMEN

Already They Have Found 3,000 Barrels From Cargo of Steamer That Hit Mine.

LONDON, Feb. 5.—Reuter's Copenhagen correspondent sends an explanation of his despatch of yesterday in which he said that nearly the entire Esbjerg fishing fleet had abandoned its regular work to hunt barrels of oil drifting up from the south, 3,000 barrels having been picked up thus far.

Advices reaching Copenhagen from Esbjerg say the oil barrels are from the Swedish steamship Nereus, which was sunk by a mine in the North Sea in December. She had on board 6,000 barrels of oil from England. Part of this consignment was brought from America by the Danish steamer Abulom, which was stopped by the British and taken into Kirkwall.